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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/928,485	08/14/2001	Takumi Oishi	ASAM.0018	7901

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EXAMINER

BATURAY, ALICIA

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 08/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/928,485	OISHI ET AL.	
	Examiner	Art Unit	
	Alicia Baturay	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,6,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,9 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This Office Action is in response to the amendment filed 9 June 2006.
2. Claims 1, 3, 6, 9 and 10 are pending in this Office Action.

Response to Amendment

3. The rejection of claim 1 under 35 U.S.C. § 112, 2nd paragraph regarding insufficient antecedent basis was addressed and is withdrawn.
4. The rejection is respectfully maintained as set forth in the last Office Action mailed on 9 February 2006. Applicant's arguments with respect to claims 1, 3, 6, 9 and 10 have been fully considered but they are not persuasive and the old rejection maintained.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 3, 6, 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Luciani (U.S. 6,331,984) and further in view of Millet et al. (U.S. 6,434,627).

Luciani teaches the invention substantially as claimed including a method for distributing Network Address Translator (NAT) translation table information among border routers so that the border routers can maintain identical NAT translation tables as necessary to forward data packets according to the NAT forwarding paradigm (see Abstract).

7. With respect to claim 1, Luciani teaches a method of translating protocols at a translator connected to a first network for transferring data in a first protocol, a second network for transferring data in a second protocol, and a translation server, where an additional translator is connected to the first network, second network, and the translation server, the method comprising the steps of:

Detecting an address query for an address of a second terminal accommodated in the second network, from a first terminal accommodated in the first network (Luciani, col. 2, lines 51-54); generating a first address in the first protocol corresponding to a second address in the second protocol which is provided to the second terminal in the second network (Luciani, col. 2, line 59 – col. 3, line 12); and retaining a correspondence between the first address and the second address as translation information (Luciani, col. 2, lines 32-37) for a protocol translation between the first protocol and the second protocol (Luciani, col. 5, lines 12-26) and registering the correspondence between the first address and the second address in the translation server (Luciani, col. 6, lines 16-28); where, upon receiving at the additional translator a packet having the first address as a destination address from the first mobile terminal after a movement of the first terminal, further comprising the steps of: inquiring, at the additional translator, of the translation server about address information of the second

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terminal; receiving, at the additional translator, the correspondence between the first address and the second address registered by the translator from the translation server (Luciani, col. 7, lines 8-22); rewriting, at the additional translator, the destination address to the second address according to the correspondence; and transmitting, at the additional translator, the rewritten packet to the second terminal (Luciani, col. 3, lines 2-12).

Luciani does not explicitly teach the use of a mobile terminal.

However, Millet teaches detecting an address query for an address of a second terminal accommodated in the second network, from a first mobile terminal accommodated in the first network (Millet, col. 6, lines 22-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Luciani in view of Millet in order to enable the use of a mobile terminal. One would be motivated to do so in order to preserve the association of the visiting node's home address and the globally unique address during the session (Millet, col. 4, lines 5-7).

8. With respect to claim 3, Luciani teaches the invention described in claim 1, including where a source address of the packet is rewritten to the address of the additional translator in the second protocol (Luciani, col. 3, lines 2-12).

9. With respect to claim 6, Luciani teaches an address translation server connected to a first and a second network for transferring data in a first protocol, a third network for transferring data in a second protocol, and a first terminal which has moved from the first network to the second network, comprising:

A memory device (Luciani, col. 4, line 63 – col. 5, line 3) for storing a correspondence information among a name of a second terminal, an address of the second terminal (Luciani, Fig. 2, col. 5, lines 27-39) in the first protocol (Luciani, col. 5, lines 12-26), and an address of the second terminal (Luciani, Fig. 2, col. 5, lines 27-39) in the second protocol (Luciani, col. 5, lines 12-26); and an interface for receiving the correspondence information from the first network and sending the correspondence information to the second network (Luciani, col. 6, lines 16-28), where the correspondence information is generated in the first network when the first terminal sends an address query for the address of the second terminal (Luciani, col. 2, lines 51-54), and the interface sends the correspondence information to a translator connected to the second network and the third network upon receiving a query from the translator (Luciani, col. 7, lines 8-22).

Luciani does not explicitly teach the use of a mobile terminal.

However, Millet teaches detecting an address query for an address of a second terminal accommodated in the second network, from a first mobile terminal accommodated in the first network (Millet, col. 6, lines 22-32).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Luciani in view of Millet in order to enable the use of a mobile terminal. One would be motivated to do so in order to preserve the association of the visiting node's home address and the globally unique address during the session (Millet, col. 4, lines 5-7).

10. Claims 9 and 10 do not teach or define any new limitations above claims 1 and 6 and therefore are rejected for similar reasons.

Response to Arguments

11. Applicant's arguments filed 9 June 2006 have been fully considered, but they are not persuasive for the reasons set forth below.
12. ***Applicant Argues:*** Applicant states "However, these disclosed elements are nothing but switches or routers, and they can communicate only within a single (one) domain. As described in col. 6, lines 29-30, these routers must be located within one domain. In short, the two switches (or routers) cannot accommodate a mobile terminal which moves between domains as claimed in the present invention. Thus, Luciani discloses a system configuration which is entirely different from Applicants' system configuration comprising:...(3) another translator at a location after moving the mobile terminal."

In Response: The examiner respectfully submits that in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The examiner respectfully submits that Millet was introduced in the 103 rejection to demonstrate the use of a mobile terminal, as stated in the previous Office Action. Additionally, Luciani teaches in Fig. 1 that switches 130 and 140 are located between domains A and D, where "Routing domains A and B are stub, or leaf, domains that only handle traffic originating from or destined to hosts in the routing domain, where as routing

domains C and D route traffic originating from or destined to hosts in the same or other routing domains (see Luciani, col. 2, lines 39-44).”

13. ***Applicant Argues:*** Applicant states “However, the address translator thus destined generates address information within itself. In addition, when generating the address information, the mobile terminal must acquire address information of the mobile terminal by itself. See Millet, col. 9, lines 11-20. Thus, Millet discloses a system configuration which is entirely different from Applicants’ system comprising...another translator at a location after movement of the mobile terminal which acquires said translation information from said translation server.”

In Response: The examiner respectfully submits that in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The examiner respectfully submits that Luciani was introduced in the 103 rejection to demonstrate acquiring translation information from the translation server.

14. ***Applicant Argues:*** Applicant states “The Examiner merely makes a bald statement that ‘one would be motivated to [combine] in order to allow individuals to access the Internet

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when they are traveling' – a statement that is not only superficially an improper rationale upon which to base a 103 combination, but one which also does not address any relevant technological point within either reference. Therefore, there is no technical significance to the combination of these two pieces of art, and it is not proper to combine Luciani and Millet.”

In Response: The examiner respectfully submits that the motivation of allowing individuals to access the Internet when they are traveling can be found in Millet, col. 1, lines 48-51. However, additional motivations to combine the two references, such as preserving the association of the visiting node's home address and the globally unique address during the session, can also be found (Millet, col. 4, lines 5-7).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
August 22, 2006


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER